

Notice of Allowability**Application No.**

09/863,342

Examiner

Naeem Haq

Applicant(s)

ALEXANDER, GEOFFREY D.

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/9/2006.
2. ☒ The allowed claim(s) is/are 1-12, 14-25, 27-36.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Response to Amendment

This action is in response to the Applicant's After-Final amendment filed on June 9, 2006. Claims 13, 26, and 37 have been cancelled. Claims 1-12, 14-25, and 27-36 are pending and will be consider for examination.

Allowable Subject Matter

Claims 1-12, 14-25, and 27-36 are allowed.

The following is the Examiner's statement of reasons for allowance: Statement of allowance is in reference to independent claims 1, 14, and 27. All other claims are dependencies of these independent claims.

The present application is directed to a method, system, and computer program for providing online comparison shopping from two or more vendors by compiling a shopping list, receiving optimization criteria by a user, performing the optimization on the shopping list, allowing the user modify the order, performing a recalculation only of the total cost of the order, and displaying the updated shopping order to the user. The independent claims 1, 14, and 27 recite the uniquely patentable feature of performing a recalculation only of the total cost of the order based on the user's modifications to produce an updated shopping order.

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Discussion of most relevant prior art:

The following references have been identified as the most relevant prior art to the claimed invention.

(i) US 5,960,411 to Hartman. Hartman teaches a method, system, and program for optimizing a shopping list using optimization criteria. Hartman fails to disclose or suggest performing a recalculation only of the total cost of the order based on the user's modifications to produce an updated shopping order.

(ii) Dialog File "Cellphone-centric devices to determine Bluetooth's future" ("Dialog").

Dialog discloses a Java-based PDA that downloads an applet and optimizes a shopping list. However, Dialog fails to disclose or suggest performing a recalculation only of the total cost of the order based on the user's modifications to produce an updated shopping order.

(iii) WO 02/27621 A1. ("WIPO"). WIPO discloses a method for optimizing electric buying groups. However, WIPO fails to disclose or suggest performing a recalculation only of the total cost of the order based on the user's modifications to produce an updated shopping order.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naeem Haq whose telephone number is (571)-272-6758. The examiner can normally be reached on M-F 8:00am-5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Smith can be reached on (571)-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Naeem Haq, Patent Examiner
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June 23, 2006


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